ATTACHMENT 33

EXHIBIT 24

1   UNITED STATES DISTRICT COURT

2   NORTHERN DISTRICT OF CALIFORNIA

3   SAN JOSE DIVISION

4   _____

)

5   CISCO SYSTEMS, INC.,   )

)

6   Plaintiff,   )

)

7   vs.   )Case No.:

)5:14-cv-05344-BLF

8   ARISTA NETWORKS, INC.,   )(PSG)

)

9   Defendant.   )

     _____)

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13   VIDEOTAPED DEPOSITION OF PRADEEP KUMAR KATHAIL

14   Palo Alto, California

15   Friday, May 27, 2016

16   Volume 1

17

18   HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

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22   Reported by:

23   RACHEL FERRIER, CSR No. 6948

24   Job No. 2307792

25   PAGES 1 - 199

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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION
4 _____
)
5 CISCO SYSTEMS, INC.,   )
)
6   Plaintiff,   )
)
7   vs.   )Case No.:
)5:14-cv-05344-BLF
8 ARISTA NETWORKS, INC.,   )(PSG)
)
9   Defendant.   )
   _____)
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13   VIDEOTAPED DEPOSITION OF PRADEEP KUMAR KATHAIL,
14 VOLUME 1, taken on behalf of the Defendant, at Wilson
15 Sonsini Goodrich & Rosati, Palo Alto, 601 California
16 Avenue, California, beginning at 9:27 a.m. and ending at
17 3:39 p.m. on Friday, May 27, 2016, before
18 RACHEL FERRIER, Certified Shorthand Reporter No. 6948.
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1 APPEARANCES:
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12 And
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12 For Defendant:
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23 Also Present:
24   JORDAN BOCK
25
                                              Page 4

1 APPEARANCES (Continued):
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3 Videographer:
4   RAMON PERAZA
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1   Palo Alto, California; Friday, May 27, 2016
2   9:27 a.m.
3
4   THE VIDEOGRAPHER: Good morning. We are on the
5 record at 9:27 a.m. on May 27th, 2016.
6   This is the videotaped deposition of Mr. Pradeep
7 Kathail.
8   My name is Ramon Peraza, here with our Court
9 Reporter, Rachel Ferrier. We are here from Veritext
10 Legal Solutions at the request of counsel for the
11 defendant.
12   This deposition is being held at Wilson Sonsini
13 in Palo Alto.
14   The caption of this case is Cisco Systems, Inc.,
15 versus Arista Networks, Inc., Case
16 No. 5:14-cv-05344-BLF (PSG).
17   Please note that audio and video recording will
18 take place unless all parties have agreed to go off the
19 record.
20   Microphones are sensitive and may pick up
21 whispers or private conversations.
22   At this time, Counsel, please identify yourselves
23 for the record and state whom you represent.
24   MR. SILBERT: David Silbert, Keker & Van Nest, on
25 behalf of defendant, Arista. Also present is Jordan

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1 INDEX (Continued):
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3   INSTRUCTION NOT TO ANSWER
4   Page   Line
5   130   16
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1 Bock, who is a law student and summer associate at our
2 firm.
3   MR. LABOW: Ben Labow from Wilson Sonsini on
4 behalf of Arista.
5   MR. JAFFE: Jordan Jaffe of Quinn, Emanuel on
6 behalf of the plaintiff, Cisco, and the witness.
7   MR. DOKHANCHY: Reza Dokhanchy from Kirkland &
8 Ellis on behalf of Cisco.
9   THE VIDEOGRAPHER: The Court Reporter may now
10 swear in the witness.
11   PRADEEP KUMAR KATHAIL,
12 having been administered an oath, was examined and
13 testified as follows:
14   EXAMINATION
15 BY MR. SILBERT:
16   Q Good morning, sir.
17   A Good morning.
18   Q Could you please state your name for the record.
19   A Pradeep Kumar Kathail.
20   Q Mr. Kathail, you have been deposed before; is
21 that correct?
22   A Yes.
23   Q You were deposed in the ITC proceedings between
24 Cisco and Arista?
25   A Yes.

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4 (Pages 10 - 13)

1 you came up -- you refer to a couple, makes sense and
2 using the right words.
3   What -- can you explain to me what criteria you
4 used when you came up with the words to be used in a CLI
5 command?
6   MR. JAFFE: Objection; calls for speculation,
7 vague.
8   THE WITNESS: Most of the time, you want to make
9 sure that the words are such that they are
10 self-explanatory -- okay? -- as well as they are the
11 terminology you are using from the networking world.
12 BY MR. SILBERT:
13   Q   Okay. Any others criteria that come to mind?
14   A   No. Then we have the whole group which reviews
15 them and bunch of things happen, so.
16   MR. SILBERT: Okay. Thank you very much, sir. I
17 have no further questions for you.
18   THE WITNESS: Okay. Thank you.
19   MR. JAFFE: I just have a couple quick questions.
20   EXAMINATION
21 BY MR. JAFFE:
22   Q   When you were just talking with Mr. Silbert about
23 the time that you created CLI commands, you said it was
24 a long time ago.
25   About how long ago was it?

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1   A   Probably when I joined Cisco, so '98, '99, 2000.
2 That will be the time.
3   Q   And you mentioned that it would take a couple
4 weeks to -- to work on the structure or syntax of the
5 command.
6   Do you consider many different alternative
7 structures during those couple weeks?
8   A   Yeah. That -- this is the whole process, where
9 you come up with a CLI command. You review it with a
10 whole set of group. You sometimes may even talk to the
11 customer saying, "Does this make sense or not?" And
12 then you go back and update based on the feedback.
13   Q   And you mentioned, when Mr. Silbert asked you
14 about make sure that the words are such that they are
15 self-explanatory, what did you mean by that?
16   A   You want to use the words where customer doesn't
17 have to go through and read a dictionary to say what
18 does that word mean. So we want to make sure that they
19 are coming from vocabulary which networking users use
20 day in and day out, so you want to use very known,
21 familiar words.
22   Q   Did you recall that you ever proposed any words
23 and then other words were substituted in after review
24 within Cisco?
25   A   I really don't remember, but I know that when

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1 these commands -- personally, I don't remember mine, but
2 I know that when these commands go through the review --
3 okay? -- there's a lot of discussion goes back and
4 forth, not only on the words but also on the syntax,
5 what the word location is, why the word location is, and
6 whether do we need that word or whether we can get that
7 kind of information from previous commands which were
8 issued, so there's a lot of discussion goes around it.
9   Q   The other question I had for you is, earlier
10 today, this morning, you mentioned -- referring to
11 Cisco's CLI as the gold standard, and I just wanted to
12 ask what you meant by that?
13   A   The gold standard, meaning there is few things
14 which our customer expects. Okay? But our -- and some
15 of them we define -- I just described it when defining
16 the CLI command. Okay? Some of those things are that,
17 through the CLI, you are not asking repeatedly the same
18 information which I have given you in the previous
19 command, just as an example. Okay?
20   The other thing is that the CLI is very
21 informative. Okay? You can get all that information
22 from CLI.
23   So those are the things that industry expects a
24 common-line interface to have. Okay? And Cisco CLI is
25 being used as the bar to match when people talk about

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1 the CLI or other customer -- other competitors' CLI.
2   MR. JAFFE: Okay. I don't have any further
3 questions.
4   MR. SILBERT: Nothing further.
5   THE VIDEOGRAPHER: This is the end of today's
6 deposition of Mr. Pradeep Kathail.
7   We are off the record at 3:38 p.m. and the total
8 number of media used was three and it will be retained
9 by Veritext. Thank you.
10   (Recess taken.)
11   MR. JAFFE: We are back on the record just
12 briefly so I can specify that the witness reserves his
13 right to read and sign.
14   (TIME NOTED: 3:39 P.M.)
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Veritext Legal Solutions
866 299-5127

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1        I, PRADEEP KUMAR KATHAIL, do hereby declare
2   under penalty of perjury that I have read the foregoing
3   transcript; that I have made any corrections as appear
4   noted, in ink, initialed by me, or attached hereto; that
5   my testimony as contained herein, as corrected, is true
6   and correct.
7        EXECUTED this _____ day of _____,
8   2016, at _____, _____.
9            (City)            (State)
10
11   _____
12       PRADEEP KUMAR KATHAIL
13       VOLUME 1
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4        I, the undersigned, a Certified Shorthand
5   Reporter of the State of California, do hereby certify:
6        That the foregoing proceedings were taken before
7   me at the time and place herein set forth; that any
8   witnesses in the foregoing proceedings, prior to
9   testifying, were placed under oath; that a verbatim
10  record of the proceedings was made by me using machine
11  shorthand which was thereafter transcribed under my
12  direction; further, that the foregoing is an accurate
13  transcription thereof.
14       I further certify that I am neither financially
15  interested in the action nor a relative or employee of
16  any attorney or any of the parties.
17       IN WITNESS WHEREOF, I have this date subscribed
18  my name.
19
20  Dated: 06/06/2016
21
22
23   _____
24       RACHEL FERRIER
25       CSR No. 6948
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